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Notes From The Underground

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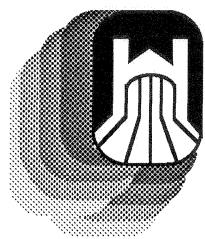
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NOTES

FROM THE
UNDERGROUND

Vol. 4, no. 2

January 1996

Lives of
Women Lawyers

—compiled by Heidi Weston

The Law Library has a collection of books by and about women lawyers. Below is a selective bibliography of some of these works. To find out what it was like to be a female attorney in the late 1800's and early 1900's, see bibliography entries numbered 12, 23, and 32. To look at empirical evidence about differing levels of satisfaction in the profession between men and women, see nos. 3 and 16; and to look at evidence about disparities in treatment by the courts, see nos. 20, and 22. To read intensely personal accounts by women litigators, law professors, government attorneys and law firm partners, see nos. 2, 9, 13, 14, 17, 28, 29, and 30.

Finally, read about the "Valentine's Day Massacre," and what women did to help abolish it in *Women in Law*. There, Harriet Rabb recalls her days at Columbia: "[T]here was one teacher who was known for his 'Valentine's Day massacre.' The women were obliged at the beginning of the hour to stand up at their seats and remain standing through the hour and get called on...and that would be the day when he did all the embarrassing and difficult-to-discuss problems" (no. 13, p. 66).

A quick foray into the historical and contemporary literature of the day-to-day lives of women attorneys will make you thankful you will be practicing law in the 21st century, rather than the 20th.

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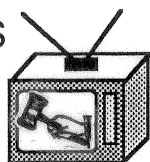
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Blog Harvard
2. Aisenberg, Nadya and Mona Harrington. *Women of academe: outsiders in the sacred grove*. Amherst: Univ. of Massachusetts Press, 1988.
A2994w 1988
3. American Bar Association, Commission on Women in the Profession. *Options and obstacles: a survey of the studies of the careers of women lawyers*, prepared by Marilyn Tucker and Georgia A. Niedzielko. [Chicago]: The Commission, c1994.
O6197 A54 O14 1994
4. American Bar Association, Commission on Women in the Profession. *Report*. Chicago: The Commission, 1995.
On order (Inquire at the Main Desk)
5. Bell, Derrick A. *Confronting authority: reflections of an ardent protester*. Boston: Beacon Press, c1994.
Blog Bell
6. *The Burdens of both, the privileges of neither: a report of the Multicultural Women Attorneys Network (A joint project of the ABA Commission on Women in the Profession and the Commission on Opportunities for Minorities in the Profession)*. Chicago: American Bar Association, 1994.
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7. Chester, Ronald. *Unequal access: women lawyers in a changing America*. Foreword by Cynthia Fuchs Epstein. South Hadley, Mass.: Bergin & Garvey Publishers, 1985.
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8. Commission on Women in the Profession. *Lawyers and balanced lives: a guide to drafting and implementing workplace policies for lawyers*. [Chicago]: American Bar Association, [1990].
L43 A543 B17 1990
9. Couric, Emily, ed. *Women lawyers: perspectives on success*. New York: Law & Business/Harcourt Brace Jovanovich, c1984.
Blog US

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10. DeCoste, F. C., K. M. Munro, and Lillian MacPherson, compilers. *Feminist legal literature: a selective annotated bibliography*. New York: Garland, 1991.
Bibliog DeCoste
11. *Directory of associations of women lawyers*. Chicago, Ill.: American Bar Association, Commission on Women in the Profession, [Sept.] 1985-.
Direct Director (another copy in **REF COLL**)
12. Drachman, Virginia G. *Women lawyers and the origins of professional identity in America: the letters of the Equity Club, 1887 to 1890*. Ann Arbor: University of Michigan Press, c1993.
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16. Hagan, John and Fiona Kay. *Gender in practice: a study of lawyers' lives*. New York: Oxford University Press, 1995.
H1388g 1995
17. Harrington, Mona. *Women lawyers: rewriting the rules*. New York: A.A. Knopf, 1994, c1993.
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18. Jack, Rand and Dana Crowley Jack. *Moral vision and professional decisions: the changing values of women and men lawyers*. Cambridge [England]; New York: Cambridge University Press, 1989.
J1125m 1989
19. Kenvin, Helene Schwartz. *Lawyering*. New York: Farrar, Straus and Giroux, 1976.
Biog Schwartz
20. Lentz, Bernard F. and David N. Laband. *Sex discrimination in the legal profession*. Westport, Conn.: Quorum Books, 1995.
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23. Morello, Karen Berger. *The invisible bar: the woman lawyer in America, 1638 to the present*. New York: Random House, c1986.
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W8711 T819 L42 1987
28. Weddington, Sarah Ragle. *A question of choice*. New York: Putnam's, c1992.
Biog Weddington
29. Williams, Evelyn. *Inadmissible evidence: the story of the African-American trial lawyer who defended the Black Liberation Army*. Brooklyn, N.Y.: Lawrence Hill Books, c1993.
Biog Williams
30. Williams, Patricia J. *The alchemy of race and rights*. Cambridge, Mass.: Harvard Univ. Press, 1991.
W72722a 1991
31. *Women lawyers' journal*. New York. May 1911-.
Eng Per Women_la
32. Zimmerman, Mary H., comp., ed. *75 year history of National Association of Women Lawyers, 1899-1974: (the first seventy-five years)*. East Lansing, Mich.: Wellman Press, 1975.
Biog National

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Arthur Miller's Courtroom Challenge



If you have ever wanted to argue or decide a Supreme Court case, check out the Courtroom Television Network (<http://www.courtstv.com>) and go for it! The game uses cases from the Supreme Court and other leading courts and scores your argument based on the actual outcome. New cases will be added regularly, so you can get more practice before it comes time for the real thing.

FOR MORE ON THIS TOPIC:

For other bibliographies on the topic, see the ABA Commission's survey (no. 3), and the DeCoste and Esser bibliographies (nos. 10, 15). To create your own bibliography on the topic, use Legaltrac and the *Index to Legal Periodicals* for articles, and Lexcalibur for books. Search under the following subject headings:

women lawyers— women judges—
 women law students— feminist jurisprudence—
 women law teachers—

As always, feel free to ask at the Reference Desk for further assistance.■

WWW Update

WEB SITES FOR LAW STUDENTS

➤ The Law Student Bitch-N-Moan Page: (<http://nickel.ucs.indiana.edu/~wdoss/bitch.htm>) includes these words of wisdom: "If after the first three weeks of school, you don't know who the class jerk is, it's probably you."

➤ The Law Student Web: (http://darkwing.uoregon.edu/~ddunn/l_schl.htm). This web site includes compilations of online journals, law student web pages, and law student resources. A good starting spot and source of outlines and exams from other schools.

➤ Let's face it, when you leave these hallowed halls, you will be forced to learn about bureaucracy and office politics (can't avoid those by going public interest). What better way to learn about the real world than through Dilbert. You won't find it in the *Ann Arbor News* or the *New York Times*, but you can get it at <http://www.unitedmedia.com/comics/dilbert/>■

WESTLAW Update

Lots of transcripts of TV shows are now online:

- Charlie Rose (CHRLROSE)
- CBS Evening News (CBSEVNEWS)
- Washington Week in Review (WWIR)
- Weekend Edition-Saturday (WKEND-SAT)
- Weekend Edition-Sunday (WKEND-SUN)

Sorry, no Ricki Lake or Jerry Springer yet.

Researching European Community/Union Law at the Law Library

—Jenny Lentz

The Law Library has an excellent collection of European Community/Union (hereafter "EC") materials. As an EC depository library, we automatically receive all official EC documents, and we purchase many more commercial publications. The following is intended to serve as a guide to some of the most useful and important sources for doing EC research.

PRIMARY SOURCES

I. LEGISLATION

A. *Official Journal of the European Communities*

- a daily publication shared by the Community's institutions, it serves as the primary source of Community legislation
- access is provided through the *Index to the Official Journal of the European Communities* (JX9 EC.2 J86X5 E), which appears monthly and is cumulated annually
 - L series (*Legislation*) (JX9 EC.2 J86 L): regulations, directives, decisions, recommendations, opinions
 - C series (*Information and Notices*) (JX9 EC.2 J86 cE): proposed legislation, draft legislation, communications, announcements

B. *Directory of Community Legislation in Force* (REF COLL: Indexes)

- provides a complete history of individual legal acts from 1952 to present
- published every six months, in June and December
- good source to determine if legislation has passed on a particular subject

C. *European Communities Legislation: Current Status* (1952-) (REF COLL: Indexes)

- lists amendments to legislation in force, also lists legislation that has been superseded or repealed
- useful tool for updating EC legislation

II. LEGISLATIVE DOCUMENTS

A. *The Commission*

Working documents of the Commission are known as COM Docs. COM Docs can be proposed legislation, broad policy documents, or reports on policy implementation. In the pre-drafting stage, they are often issued as "green papers" or "white papers." Once a draft has been approved by the Commission, it becomes a COM Doc.

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Commission of the European Communities Documents (COM Docs) (most recent 3 years in paper JX9 EC.21 C734d; 1983 to 1993 on microfiche Micro 10 S208)

- COM Docs are useful for determining legislative intent
- about 80% of COM Docs are published in the C series of the *Official Journal*, but without the Explanatory Memorandum.

COM Docs are identified by the following numbering system: COM(82) 192

1. COM
2. Year
3. Document number

B. The Parliament

The work of the Parliament is well documented. Parliamentary Opinions and Minutes (which contain the voting records of plenary sessions) appear in the C series of the *Official Journal*.

1. Session Documents/Report (microform) (1985/86-) (Micro 10 S428)

- each report contains a record of the Parliamentary committee's action, an explanatory report, and the draft opinion
- these documents were previously published as *Working Documents* (1952-1984) (JX9 EP D636 E)

Parliamentary Reports are identified as follows:
Doc A3 0380/91

1. Doc
2. Series
3. Document number
4. Year

2. Texts Adopted (1985-) (JX9 EP T355)

- chronological compilation of opinions and resolutions adopted by the Parliament

3. Official Journal of the European Communities. Debates of the European Parliament (JX9 EC.2 J86d E)

C. The Council

The Council of Ministers issues little documentation compared to the Commission and Parliament. There is no public record of their deliberations. The Council's Common Positions are announced in the C series of the *Official Journal*, but the actual text must be requested from the Council. Final texts adopted by the Council appear in the L series.

1. Review of the Council's Work (JX9 EC.25 A641a)

- summary of the Council's activities during a given year

2. Compilation of Texts Adopted by the Council (1981-) (JX9 EC.25 C737 T35)

- contains conventions and trade agreements adopted

D. The Economic and Social Committee

The Economic and Social Committee represents the interests of labor and industry in the Community. The text of opinions of the ESC are in the C series of the *Official Journal*.

1. Annual Report (1973-) (JX9 EC.28 E19 A615)

- documents the work of the ESC during the year

2. Bulletin of the Economic and Social Committee (JX9 EC.28 E19 B936)

- monthly report on the activities of the Committee, including summary of opinions adopted, recent speeches by the chairman, etc.

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COMPILING A EUROPEAN COMMUNITY LEGISLATIVE HISTORY

1. Find the text of the legislation as adopted. (*Official Journal of the European Communities, L Series*). Determine the method by which the legislation was passed. Work backwards using the footnoted cites.

2. Find the Commission's original proposal. (*Official Journal of the European Communities, C Series*, or as a COM Doc).

3. Locate the Opinion of Economic and Social Committee. (*Official Journal of the European Communities, C Series*)

4. Find the Parliamentary Opinion. (*Official Journal of the European Communities, C Series*, or *Texts Adopted by the European Parliament*)

5. Find the Parliamentary Report. (*Session Documents/Report*)

6. Find the Parliamentary Debate. (*Official Journal of the European Communities, Debates of the European Parliament*.)

7. Find the Council's Common Position (if applicable). (Cited in the *Official Journal of the European Communities, C Series*)

8. Locate the Parliament's Reaction to the Council's Common Position (if applicable). (*Official Journal of the European Communities, C Series*)*

*Depending on the legislative method used, there may also be a joint text issued by the Conciliation Committee (*Official Journal of the European Communities, Debates of European Parliament*.)

III. TREATIES

A. *Official Journal of the European Communities* (JX9 EC.2 J86L E)

All of the Community's treaties are published in the L series and are identifiable using the *Index*.

B. *Consolidated Treaties & International Agreements. Current Document Service: European Community* (JX9 EC C755 T78)

Contains agreements entered into by the Community.

C. *International Legal Materials (I.L.M.)* (1962-) (JX2 A516i)

- current source for treaties and other international agreements
- access provided in an annual table of contents in November issue; also searchable full text on Lexis and Westlaw

D. *Encyclopedia of European Community Law* (1973-) (JX9 EC.62 E56 1973)

- this twelve volume looseleaf devotes 4 volumes to treaties
- current until 1993

E. *Halsbury's Statutes of England* (Gt. Brit. Stat.)—EC treaties are reproduced in vols. 51, 52

F. LEXCALIBUR

- Title Search: "Treaties Establishing the European Communities..."
- Subject Search: "European Economic Community Countries--Commercial Treaties"

G. Pre-1980 treaties may be found in the Public Card Catalog by subject or treaty name.

IV. COURT DECISIONS

Decisions from the European Court of Justice and the Court of First Instance are first published in French, the operating language of the Court, and in the language in which the case was argued. The Court translates all decisions into all of the languages of the Community, but it can take up to 2 years. The Library subscribes to slip opinions, in both English and French, for both courts.

A. Reporters

1. *Reports of Cases before the Court of Justice and the Court of First Instance* (E.C.R.) (1954-) (JX9 EC.6 R425)

- E.C.J.'s official reporter
- contains decisions and opinions of the Advocates General
- less current than unofficial sources

2. *Common Market Law Reports* (C.M.L.R.) (1962-) (JX9 EEC.5 C73)

- commercial source for E.C.J. decisions, also reprints national decisions
- much more current than official source

3. *Common Market Reporter* (1962-) (LLF: Common Market)

- looseleaf containing EC and national court decisions
- excellent resource due to currency

B. Digests

1. *European Current Law Monthly Digest* (1992-) (REF COLL: FL6 E843 C976 L41)

- essential reference tool due to currency
- cumulated annually and published as *European Current Law Yearbook* (REF COLL: FL6 E893 C976 L41)

2. *European Law Digest* (1973-1991) (JX9 EC. 62 E89Ld)

- commercially published selective index to cases
- precursor to *European Current Monthly Law Digest*

3. *Digest of Case Law Relating to the European Communities* (1981-) (JX9 EC.6 D572 1981)

- four volume looseleaf issued by the Court; official method for locating cases
- due to its lack of currency, this source is best used for locating older cases

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Supreme Disaster

Part I

Robert Moxley of Cheyenne, Wyoming, so annoyed the justices during his appearance in *Shalala v. Whitecotton* that Rehnquist told him he had "made us gravely wonder...how well-prepared you are for this argument." (And you thought being grilled in class was bad!)

Part II

After Moxley was fired by the Whitecotton family, he summed up his reaction to the oral argument this way: "I felt like I dropped out of tall cow's ass." Asked to explain the metaphor, he explained: "The taller the cow, the bigger the pile."

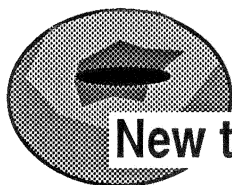
—adapted from Tony Mauro,
High Court Highs and Lows, *Legal Times*,
Dec. 18-Dec. 25, 1995, at 20.

C. Other Case Finding Tools

1. *Proceedings of the Court of Justice of the European Communities* (JX9 EC.6 A188 E)
 - weekly publication listing new cases before the Court
 - summarizes decisions recently handed down
2. *Butterworth's EC Case Citator and Service* (REF COLL: Indexes)
 - excellent case finding tool; subject, keyword, number access
3. *Gazetteer of European Law* (1953-1983) (REF COLL: Indexes)
4. *Synopsis of the Work of the Court of Justice of the European Communities* (JX9 EC.6 S993)
 - good tool for retrospective research; profiles judges, the Court's caseload, etc.

SECONDARY SOURCES

- A. *Bulletin of the European Communities* (1968-) (JX9 EC.2 B93e)
 - monthly publication reporting on the activities of the Community and its institutions
 - good for tracking meetings of working groups, Council meetings, Parliamentary sessions
 - lacks an index but has a detailed table of contents
 - provides references to the *Official Journal* and good cross referencing to previous issues
- B. *General Report on the Activities of the Communities* (1967-) (JX9 EC.21 G326)
 - an annual publication appearing every February, it contains a summary of Community events during the previous year
- C. *SCAD Bulletin* (1985-) (JX9 ECA S105 B93)
 - weekly publication containing a wide range of EC documentation and articles from unofficial sources
 - useful current awareness tool and alert service

**New to Town**

Another bagel place is to open on State Street. Einstein's will be right around the corner from Bruegger's and across the street from Amer's. If you have any opinions—other than about the hardships of exams and winter—let me know at 764-6150 or jafrank@umich.edu.

D. *Europe* (JX9 EC E 89db)

- daily bulletin on EC activities published by Agence Europe

ONLINE SOURCES

A. CELEX (Communitatis Europae Lex)

- full text version of the L series (Legislation) and bibliographic access to the C series (Information & Notices) of the *Official Journal*
- contains all Community directives, regulations, and proposals
- currently available on the Internet (see below)

B. LEXIS and WESTLAW

- CELEX is available on Lexis and Westlaw; the currency varies but it runs about 8-12 weeks behind the print version of the *Official Journal*; the best way to establish currency in a database is to do a date search
- Lexis (Library: INTLAW and Library: EUROPE, File: EC LAW); Westlaw (CELEX)
- Lexis offers a timelier version of CELEX in *French* (Library: INTLAW, File: FRJO)
- both Lexis and Westlaw contain EC case law dating back to 1954:
 - Lexis: (Library INTLAW, File: ECCASE); (Library: EURCOM, File: CASES); (Library: EUROPE, File: CASES)
 - Westlaw: (CELEX-CS)
- both contain full text of treaties from 1979
 - Lexis: (Library: EUROPE, File: TREATY)
 - Westlaw: (CELEX-TRTY)

Searching the *Official Journal* online when you have a cite:

LEXIS: lexsee 1988 oj 1 379
 WESTLAW: ci(172) and da(1994) (in CELEX-LEG)

C. The Internet1. European Community Databases (Eurobases)

The following databases are now available to U of M law students through the Internet, free of charge. (See Reference staff for more information.)

1. ABEL (online service for ordering documents from the L and C series of the O.J.)
2. CELEX
3. EPOQUE (database of the European Parliament)
4. INFO '92 (Information on the internal market)
5. RAPID (EC Spokesman's service documents)
6. SCAD ((Service Central Automatise de Documentation) publications of EC institutions, references to periodicals)

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2. EUROPA (<http://www.ece.lu>)

- facts about the history of the European Community and its member states
- description of European Community policies, institutions, and organizational structure
- information on the Commission, speeches by its President, profiles of Commissioners

3. I'M EUROPE (<http://www.echo.lu>)

- contains the full text of key publications, including the Maastricht Treaty, and the Commission's *White Paper on Growth and Competitiveness*
- news and announcements

4. Other sites

- **European Union Internet Resources** (<http://www.lib.berkeley.edu/GSSI/eu.html>)
- **European Union Basics (FAQ)** (<http://eubasics.allmansland.com/>)

SELECTED LAW REVIEWS

Columbia Journal of European Law
(FL2 C725 J86 E8)

Common Market Law Review
(JX9 EEC A.1 C73r)

European Competition Law Review
(JX2 E9 C73)

European Journal of Health Law
(FL2 E9 J86 H434)

European Journal of International Law
(JX2 E923)

European Journal of Law and Economics
(FL2 E9 J86 L415 E19)

European Law Review (JX9 EEC.5 E89Lr)

European Public Law (JX9 EEC.6 E89p)

European Review of Private Law
(JX9 EEC.6 E89re)

Irish Journal of European Law
(JX9 EEC.6 I68 J86)

Journal of Common Market Studies
(JX9 EEC.6 J86)

Journal of Constitutional Law in Eastern and Central Europe (FL2 J86035)


Journal of European Integration
(JX9 EEC.6 R45ie)

Legal Issues of European Integration
(JX9 EEC.6 L496i)

Maastricht Journal of European and Comparative Law
(JX9 EEC.6 M125 J86 E9)

New Europe Law Review (JX2 N52)

Tulane European Civil Law Forum
(Eng Per Tulane)■



Opinions in Rhyme

Brown v. State, 216 S.E.2d 356 (1975).

Fisher v. Lowe, 333 N.W.2d 67 (1983).

Mackensworth v. American Trading Transp. Co., 367 F. Supp. 373 (1973).

Wheat v. Fraker, 130 S.E.2d 251 (1963).

For more "special cases" check out
<http://darkwing.uoregon.edu/~ddunn/cases.htm>



Legal Trivia

What happened to Mr. Miranda of the Miranda warning?

"Miranda's life ended with irony. In 1976, when he was thirty-four, Miranda got into a fight with two illegal immigrants. One of them stabbed him twice, and he died on the way to the hospital. The killer escaped, but the other man was caught. The Phoenix police, as they arrested this man, dutifully read him the Miranda warning, in both Spanish and English...."

—Lawrence Friedman, *Crime and Punishment in American History* (1993), p.302.



LEXIS Update

A second edition of the Emanuel's *LEXIS-NEXIS for Law Students* is out; copies are in the Law Library's Computer Assisted Legal Research Room. If it does not answer all your questions, see a LEXIS representative or a reference librarian. The LEXIS representatives are Paul Glunt, Wesley Paul, and Mike Farrell.

University of Michigan Law Library

Legal Research Workshop Series Winter 1996

The Law Library Reference Department is offering the following legal research workshops this term for law students:

Why Lawyers Should Care About the World Wide Web

Instructor: Jonathan Franklin, J.D., M.I.L.S., A.M.

Mon., Jan. 29: 12 – 1 p.m., Angell Hall, Interactive Room B

Mon., Feb. 19: 3 - 4:00 p.m., School of Ed., Room 3033

Advanced Web (Bookmark Management, Configuration, Basic HTML)

(If you would like a specific topic covered, e-mail jafrank@umich.edu.)

Instructor: Jonathan Franklin, J.D., M.I.L.S., A.M.

Mon., Mar. 18: 4 - 5:00 p.m., Angell Hall, Interactive Room B

Finding Legislative Documents in the University of Michigan Law Library

Instructor: Linda Kawaguchi, J.D., M.I.L.S.

Mon., Feb. 5*: 12 - 1:00 p.m., Rm. S-106 (Library Seminar Room)

Wed., Feb. 28: 2 - 3:00 p.m., Rm. S-106

Researching Non-law Sources

Instructor: Jenny Lentz, M.I.L.S.

Mon., Feb. 5*: 12 - 1:00 p.m., Rm. S-106 (Library Seminar Room)

Wed., Mar. 13: 2 – 3:00 p.m., Rm. S-106

Legal Research Refresher Workshop

Instructor: Barbara Vaccaro, J.D., M.I.L.S.

Mon., Apr. 1 12:15–1:15 p.m., Rm. S-106 (Library Seminar Room)

Tues., April 9 12:15–1:15 p.m., Rm. S-106

*Feb. 5 classes will be done in same session.